

# NINETEENTH DAY

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MONDAY, FEBRUARY 17, 1997

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## PROCEEDINGS

The Senate met at 12:00 noon pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

The Reverend Jaime Case, San Francisco de Asis Episcopal Church, Austin, offered the invocation as follows:

"No hagan sufrir al extranjero que viva entre ustedes. Trátenlo como a uno de ustedes; ámenlo, pues es como ustedes, que fueron extranjeros en Egipto. Yo soy el Señor tu Dios." (Levítico 19:33-34)

"And if a stranger sojourns with thee in your land, ye shall not vex him. The stranger that dwelleth with you shall be unto you as one born among you, and thou shalt love him as thyself; for ye were strangers in the land of Egypt. I am the Lord your God." (Leviticus 19:33-34)

Dios de todo poder y misericordia, recordamos en Tu presencia a los pobres y desamparados que nos es fácil olvidar, y que Tu mandaste que les cuidáramos: los indigentes, los que carecen de hogar, los ancianos y los enfermos, los refugiados y oprimidos que llegan a nuestra frontera, y todos los que no tienen quien cuide de ellos. Ayúdanos a sanar y vigilar a los quebrantados de cuerpo o espíritu, y a convertir su tristeza en alegría. Concede esto, Oh Padre, por amor a Tu Hijo, que por nosotros se hizo pobre, Jesucristo nuestro Señor. Amén.

God of all power and mercy, we remember in Thy presence all the poor and forsaken who are easy to forget and whom You commanded us to care for: the indigent, the homeless, the old, the sick, the refugees, and the oppressed who come to our borders, and all those who have no one to care for them. Help us to heal and watch over those who are broken in body or spirit and transform their sorrow into joy. Grant this, O Father, for the love of Thy Son, who for us was made poor, Jesus Christ our Lord. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 13, 1997, was dispensed with and the Journal was approved.

**CO-AUTHORS OF SENATE BILL 86**

On motion of Senator Shapiro and by unanimous consent, Senators Armbrister and Nixon will be shown as Co-authors of **SB 86**.

**CO-AUTHOR OF SENATE BILL 107**

On motion of Senator Patterson and by unanimous consent, Senator Ellis will be shown as Co-author of **SB 107**.

**CO-AUTHORS OF SENATE BILL 159**

On motion of Senator Haywood and by unanimous consent, Senators Brown, Nelson, Nixon, Ogden, Shapiro, and Sibley will be shown as Co-authors of **SB 159**.

**CO-AUTHORS OF SENATE BILL 226**

On motion of Senator Madla and by unanimous consent, Senators Luna and Patterson will be shown as Co-authors of **SB 226**.

**CO-AUTHORS OF SENATE BILL 227**

On motion of Senator Madla and by unanimous consent, Senators Luna and Patterson will be shown as Co-authors of **SB 227**.

**SENATE BILLS AND RESOLUTIONS ON FIRST READING**

The following bills and resolutions were introduced, read first time, and referred to the committees indicated:

**SB 350** by Brown

Relating to the continuation and functions of the Criminal Justice Policy Council.

To Committee on Criminal Justice.

**SB 351** by Moncrief

Relating to the continuation and functions of the State Preservation Board.

To Committee on State Affairs.

**SB 352** by Armbrister

Relating to the continuation and functions of the Texas National Guard Armory Board.

To Committee on Veteran Affairs and Military Installations.

**SB 353** by Armbrister

Relating to the continuation and functions of the adjutant general's department.

To Committee on Veteran Affairs and Military Installations.

**SB 354** by Armbrister

Relating to the powers and duties of and the continuation of the Texas Public Finance Authority.

To Committee on State Affairs.

**SB 534 by Harris**

Relating to the collection of claims for recovery of money under subrogation and third-party reimbursement rights arising from medical payments by health and human services agencies.

To Committee on Jurisprudence.

**SB 535 by Ellis**

Relating to the investments of participants in the optional retirement program for faculty members employed in state-supported retirement institutions of higher education.

To Committee on State Affairs.

**SB 536 by Ogden**

Relating to restrictions on certain actions involving the executive head of a state agency; providing a penalty.

To Committee on State Affairs.

**SB 537 by Ogden, Shapleigh**

Relating to contracts with and compensation of administrators of public institutions of higher education.

To Committee on Education.

**SB 538 by Barrientos**

Relating to eligibility and benefits under public retirement systems for employees of certain municipalities.

To Committee on Intergovernmental Relations.

**SB 539 by Ogden**

Relating to creating the offense of causing injury to a pregnant woman.

To Committee on Criminal Justice.

**SB 540 by Ogden**

Relating to informed consent to the performance of an abortion.

To Committee on Health and Human Services.

**SB 541 by West**

Relating to alcoholic beverage seller training programs.

To Committee on State Affairs.

**SB 542 by Barrientos**

Relating to the prosecution of the offense of sexual assault.

To Committee on Criminal Justice.

**SB 543 by Barrientos**

Relating to the establishment of caseload standards for certain employees of the Texas Department of Human Services or the Department of Protective and Regulatory Services.

To Committee on Health and Human Services.

**SB 544 by Carona**

Relating to the procedure by which a municipality may dispose of certain land.

To Committee on Intergovernmental Relations.

**SB 545 by Carona**

Relating to a firefighter or police officer in certain municipalities who is convicted of a felony.

To Committee on Intergovernmental Relations.

**SB 546 by Carona**

Relating to the licensing and regulation of public adjusters; providing criminal penalties.

To Committee on Economic Development.

**SB 547 by Carona**

Relating to letters of credit.

To Committee on Economic Development.

**SB 548 by Shapiro**

Relating to the punishment for the offense of unlawfully transferring a weapon.

To Committee on Criminal Justice.

**SB 549 by Barrientos**

Relating to annual cost recovery fees for regional water quality assessment.

To Committee on Natural Resources.

**SB 550 by Moncrief**

Relating to emergency protective orders.

To Committee on Criminal Justice.

**SB 551 by Brown**

Relating to the exemption of certain persons from jury service.

To Committee on Jurisprudence.

**SB 552 by Brown**

Relating to certain early voting procedures; providing criminal penalties.

To Committee on State Affairs.

**SB 553 by Brown, Armbrister, Gallegos, Patterson**

Relating to the designation of a portion of State Highway 35 as the Stephen F. Austin Memorial Highway.

To Committee on International Relations, Trade, and Technology.

**SB 554 by Sibley**

Relating to the Texas Non-Profit Corporation Act.

To Committee on Jurisprudence.

**SB 555 by Sibley**

Relating to certain business organizations.

To Committee on Jurisprudence.

**SB 556 by Brown**

Relating to exempting real property owned by this state from attachment, execution, or forced sale.

To Committee on State Affairs.

**SB 557 by Armbrister**

Relating to issuance of exempt license plates.

To Committee on State Affairs.

**SB 558 by Truan**

Relating to the unlawful possession of a firearm by a person who has been adjudicated as a juvenile delinquent.

To Committee on Criminal Justice.

**SB 559 by Truan**

Relating to the suspension of the driver's license of a minor for certain conduct.

To Committee on Criminal Justice.

**SB 560 by Truan**

Relating to offenses concerning the possession and transfer of certain weapons; providing a penalty.

To Committee on Criminal Justice.

**SB 561 by Truan**

Relating to Texas Education Agency reporting concerning certain delinquent conduct by public school students.

To Committee on Education.

**SB 562 by Truan**

Relating to requiring public schools to post telephone numbers of law enforcement agencies for students to use in reporting certain illegal conduct.

To Committee on Education.

**SB 563 by Truan**

Relating to model gang violence suppression and substance abuse prevention curricula.

To Committee on Education.

**SB 564 by Truan**

Relating to the facilities covered by and the emergency authority of the Texas Department of Health under the lead abatement law.

To Committee on Health and Human Services.

**SB 565 by Truan, Zaffirini**

Relating to exempting members of the Texas National Guard from tuition charged by an institution of higher education.

To Committee on Finance.

**SB 566 by Truan, Carona**

Relating to requiring the Texas Department of Transportation to conduct a study on the highway transportation needs of the state because of increased international trade under the North American Free Trade Agreement.

To Committee on International Relations, Trade, and Technology.

**SB 567 by Truan**

Relating to requiring the comptroller to conduct a study on the economic effects of the merger of the Union Pacific and Southern Pacific railroads.

To Committee on International Relations, Trade, and Technology.

**SB 568 by Truan, Carona**

Relating to contracts for deed in certain counties.

To Committee on International Relations, Trade, and Technology.

**SB 569** by Truan

Relating to subdivision platting requirements in certain counties.  
To Committee on International Relations, Trade, and Technology.

**SB 570** by Truan, Carona

Relating to the regulation of subdivisions in certain economically distressed counties; providing civil and criminal penalties.

To Committee on International Relations, Trade, and Technology.

**SB 571** by Lindsay

Relating to the application of the minimum wage.  
To Committee on Intergovernmental Relations.

**SCR 24** by Truan

Relating to directing the Texas Department of Transportation to monitor discussions addressing overweight trucks.

To Committee on International Relations, Trade, and Technology.

**SR 136** by Harris

Directing the Health and Human Services Commission to immediately take steps to provide support and information services to persons enrolled in Medicaid managed care organizations.

To Committee on Health and Human Services.

**SENATE RESOLUTION 195**

Senator Lucio offered the following resolution:

WHEREAS, The Senate of the State of Texas takes pride in recognizing Eligio "Kika" de la Garza, who recently retired after 44 years of loyal service in state and national public office; and

WHEREAS, Eligio "Kika" de la Garza was born in poverty on September 22, 1927, in Mercedes, Texas, located in Hidalgo County; at an early age, he was a shoeshine boy on the streets of McAllen, and at age 17, he enlisted in the United States Navy and served our country during World War II; and

WHEREAS, He graduated from Saint Mary's University School of Law in San Antonio and was elected to serve in the Texas House of Representatives, where he served for six consecutive terms from 1953 to 1964; and

WHEREAS, A talented politician and a man of extensive expertise, Mr. de la Garza was elected to the United States House of Representatives and served as the congressman from South Texas from January 8, 1965, to January 7, 1997; during his first year in Congress, he introduced legislation to balance the federal budget and promoted the establishment of a budget committee in the House; and

WHEREAS, He was the first Hispanic congressman from the 15th District, the first Hispanic chairman of a major congressional committee, the longest-serving chairman of the House Committee on Agriculture, and the longest-serving elected public official from the 15th District; and

WHEREAS, He served as a congressman under seven presidents, including President Lyndon B. Johnson, his close friend for over 20 years; he also worked under some of the most powerful speakers of the United States House of Representatives, including Sam Rayburn, Tip O'Neal, and Jim Wright; and

WHEREAS, Mr. de la Garza's work included serving as chairman of the House Agriculture Committee for 14 years, during which time he protected the interests of agricultural communities throughout Texas; and

WHEREAS, During his years in Washington, he participated in landmark legislation that profoundly changed America over the last 50 years, including Medicare, Medicaid, civil rights, federal aid to education, and price supports for farming and agricultural interests; and

WHEREAS, He successfully guided into law three Omnibus Farm bills, an overhaul of the Agricultural Lending System, reforms of the Federal Crop Insurance Program, and reforms of pesticide laws; he strongly influenced the designation of the Valley as an empowerment zone and was a major force behind initiatives to provide crop insurance for citrus trees; and

WHEREAS, Mr. de la Garza has consistently been a strong supporter of civil rights, and he fought for improvements in opportunities for minorities, improved access to health care for the elderly, veterans, and low-income individuals, and better educational opportunities for all Americans; and

WHEREAS, Throughout his career, he worked diligently to improve relations and trade between the United States and Mexico and became the first congressman from the Texas-Mexico border area to serve on the Mexico-United States Interparliamentary Group; and

WHEREAS, In tribute to his outstanding work as a congressman, Mr. de la Garza has been the recipient of a host of awards and honors, including the 1979 Order of the Aztec Eagle, Mexico's highest honor bestowed upon foreigners; he was named Mr. South Texas in 1989, received the Texan of the Year Award in 1991, and was the recipient of the Saint Mary's University School of Law Outstanding Law Alumnus Award; and

WHEREAS, Highly respected and beloved by the citizens of Texas, Kika de la Garza has given generously of his time and energy to his state and country, and his contributions to the betterment of South Texas and improved relations between the United States and Mexico are countless; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby commend Eligio "Kika" de la Garza on his exceptional accomplishments and outstanding career and express appreciation to him for his invaluable contributions to our state and country; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of esteem from the Texas Senate.

LUCIO  
TRUAN  
ZAFFIRINI

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Lucio and by unanimous consent, the resolution was adopted by a rising vote of the Senate.

**GUESTS PRESENTED**

Senator Lucio was recognized and introduced to the Senate former United States Representative Eligio "Kika" de la Garza and his wife Lucille.

The Senate welcomed its distinguished guests.

**(Senator Brown in Chair)**

**CAPITOL PHYSICIAN**

Senator Barrientos was recognized and presented Dr. M. W. Blackstock of Austin as the "Doctor for the Day."

The Senate welcomed Dr. Blackstock and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

**(President in Chair)**

**SENATE RESOLUTION 169**

Senator Truan offered the following resolution:

WHEREAS, The Senate of the State of Texas takes pride in joining citizens across the nation in recognizing National LULAC Week and in proclaiming February 16-22, 1997, as LULAC Week in the State of Texas; and

WHEREAS, The League of United Latin American Citizens (LULAC) was founded in the City of Corpus Christi on February 17, 1929, by individuals of vision and determination; their goal was to improve the lives of Hispanic citizens and to find solutions to problems in the fields of civil rights, education, and government; and

WHEREAS, Since its establishment, LULAC has fought for the civil rights of Hispanics and other minorities and has provided job training and found employment opportunities for thousands of minority citizens through the highly successful Jobs for Progress, Inc., better known as "SER"; and

WHEREAS, The organization has helped to provide housing for Hispanics in need and has launched a wide variety of programs for youths, women, and the elderly; through its National Education Service Centers, it has helped Hispanic youths to seek higher education and has provided more than \$2 million in scholarships; it influenced the formation of the Headstart program through its creation of the "Little Schools of the 400"; and

WHEREAS, LULAC has helped to initiate litigation against segregation of Hispanics in public schools and that have guaranteed Hispanics various constitutional rights; and

WHEREAS, The oldest and largest Hispanic civil rights organization in the country, LULAC is an exemplary organization that has helped Hispanics throughout the United States enjoy a greater degree of participation in the affairs of their communities; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby commend the League of United Latin American Citizens on its exceptional accomplishments and declare February 16-22, 1997, as National LULAC Week in Texas; and, be it further



RESOLVED, That a copy of this Resolution be prepared for presentation to the Honorable Belen Robles, LULAC National President, from El Paso, Texas, and to Mr. Gonzalo Tamez, President of Corpus Christi LULAC Council No. 1, as an expression of esteem from the Texas Senate.

The resolution was read.

On motion of Senator Shapleigh and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Truan, the resolution was adopted by a viva voce vote.

#### GUESTS PRESENTED

Senator Truan was recognized and introduced to the Senate Belen Robles, National LULAC President; Angie Garcia, LULAC State Director; and Lieutenant Gonzalo Tamez, President, LULAC Council No. 1.

The Senate welcomed its guests.

#### SENATE RESOLUTION 170

Senator Shapleigh offered the following resolution:

WHEREAS, It is indeed a privilege for the Texas Senate to recognize Belen B. Robles for her notable contributions to Hispanic Americans; and

WHEREAS, Mrs. Robles has been elected to serve as the national president of the League of United Latin American Citizens, the oldest and largest Hispanic civil rights organization in the nation; and

WHEREAS, The first woman to be so honored, Mrs. Robles has been an active member of the organization for nearly 40 years and brings a wealth of experience to her position, having held several important elected and appointed positions on both the local and national level; and

WHEREAS, Throughout her four decades of being closely involved in community affairs, she has worked diligently to ensure that the culture, history, and economic conditions of her fellow citizens are not disregarded and that economic and educational opportunity are fostered by a commitment to equity; and

WHEREAS, Additionally, she has a 37-year history of in-depth experience in the Immigration and Naturalization Service and United States Customs; she is the current Director of Community Relations for the El Paso District of the United States Customs Service and Chief Inspector for Cargo Operations at the Bridge of the Americas; and

WHEREAS, Fluent in both English and Spanish, Belen Robles has devoted time and energy to a variety of different community groups; she is director of the El Paso Hispanic Chamber of Commerce and past director of the Rio Grande Girl Scouts Council; she is a member of the City Charter Commission as well as the redistricting and cultural affairs committees; and

WHEREAS, On the federal level, the dynamic leader has served as advisor to cabinet hearings on Mexican American affairs and as national chair of the Advisory Committee to the Immigration and Naturalization Service Commissioner; and

WHEREAS, Her exceptional work on behalf of Hispanics has received national attention and she is the recipient of several prestigious honors; Mrs. Robles was awarded the Chamizal Medallion by former President Lyndon B. Johnson and was named to "Ten Outstanding Women in Federal Service"; listed in *Who's Who of the World*, she was honored as LULAC Woman of the Year and received a Sustained Superior Performance Award by United States Customs; and

WHEREAS, In her private life, Belen Robles is married to Ramiro Robles and they are the parents of three fine children, Mary Helen LoPresti, Carlos Francisco, and Ramiro, Jr.; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 75th Legislature, hereby commend and applaud Belen B. Robles for her exceptional work on behalf of Hispanic Americans and extend best wishes to her in her role as president of the League of United Latin American Citizens; and, be it further

RESOLVED, That a copy of this Resolution be prepared for her as an expression of the high regard of the Texas Senate.

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Shapleigh, the resolution was adopted by a viva voce vote.

**(Senator Brown in Chair)**

#### **GUESTS PRESENTED**

Senator Zaffirini was recognized and introduced to the Senate Melinda Wheatley of San Antonio and her children Isaac, Amanda, and Troy.

The Senate welcomed its guests.

#### **RESOLUTIONS SIGNED**

The Presiding Officer announced the signing of the following enrolled resolutions in the presence of the Senate: **HCR 57, HCR 68, HCR 69**

**(President in Chair)**

#### **SESSION TO CONSIDER EXECUTIVE APPOINTMENTS**

The President announced the time had arrived to consider the executive appointments to agencies, boards, and commissions. Notice of submission of these names for consideration was given Thursday, February 13, 1997, by Senator Madla.

Senator Madla moved confirmation of the nominees reported Wednesday, February 12, 1997, by the Committee on Nominations.

The President asked if there were requests to sever nominees.

There were no requests offered.

#### **NOMINEES CONFIRMED**

The following nominees as reported by the Committee on Nominations were confirmed by the following vote: Yeas 31, Nays 0.

Members, Texas Natural Resource Conservation Commission: BARRY ROSS McBEE, Chair, Travis County; JOHN M. BAKER, Jr., Ph.D., Bell County.

Members, Texas Water Development Board: NOE FERNANDEZ, Hidalgo County; WILLIAM B. MADDEN, Dallas County.

Members, Angelina and Neches River Authority Board of Directors: MARGIE C. BENGE, Cherokee County; SUSAN W. HECKMANN, Smith County; HENRY HAROLD HOLUBEC, Angelina County; STEWART M. KENDERDINE, Anderson County; ROY L. STARK, Anderson County; JACK COOK SWEENEY, Angelina County.

Members, Lower Concho River Water and Soil Conservation Authority Board of Directors: HOWARD E. LOVELESS, Concho County; THOMAS EDSSEL WELLS, Concho County; HARVEY P. WILLIAMS, Concho County.

Member, Evergreen Underground Water Conservation District Board of Directors: AMOND DOUGLAS BROWNLOW, Wilson County.

Members, Gulf Coast Waste Disposal Authority Board of Directors: LOUIS "SAM" DELL'OLIO, Jr., Galveston County; RAFAEL ORTEGA, Harris County; SHIRLEY U. SEALE, Chambers County.

Member, Gulf States Marine Fisheries Commission: L. DON PERKINS, Harris County.

Members, On-site Wastewater Treatment Research Council: BARRY D. BEDWELL, Randall County; JOHN ROBERT BLOUNT, Harris County; BRENDA A. BRADLEY, P.E., Harris County; THOMAS EDWARD DREISS, Bexar County; MICHAEL THOMAS FAHY, Travis County; FRANZ K. HIEBERT, Ph.D., Travis County; LOIS JORDAN KOOCK, Mason County; TERI HADA MATHIS, Fort Bend County; DANNY RAY MOSS, Tarrant County; MAURICE P. SHORT, P.E., Bowie County; GLENN A. TURNER, Jefferson County.

Members, Red River Authority of Texas Board of Directors: GEORGE W. ARRINGTON, Hemphill County; JAMES PATRICK "JIM" FALLON, Grayson County; BETTY PEMBERTON PEVETO, Cooke County; W. F. SMITH, Jr., Hardeman County.

#### CONSIDERATION POSTPONED

To be RIO GRANDE COMPACT COMMISSIONER OF TEXAS: Jack Hammond, El Paso County.

Members, Sulphur River Basin Authority Board of Directors: PATSY R. McCLAIN, Hopkins County; ROBERT L. PARKER, Lamar County.

Member, Upper Neches River Municipal Water Authority Board of Directors: JOE MARION CRUTCHER, Anderson County.

**SENATE BILL 231 ON SECOND READING**

Senator Carona moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **SB 231** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Carona and by unanimous consent, the regular order of business was suspended for **SB 231**:

**SB 231**, Relating to sources of names for the jury wheel.

The bill was read second time and was passed to engrossment by a viva voce vote.

**SENATE BILL 231 ON THIRD READING**

Senator Carona moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 231** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

**SB 231** was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 305 ON SECOND READING**

Senator Zaffirini moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **CSSB 305** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended for **CSSB 305**:

**CSSB 305**, Relating to the Interagency Council on Early Childhood Intervention.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 305 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 305** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

**CSSB 305** was read third time and was passed by a viva voce vote.

**SENATE BILL 264 ON SECOND READING**

Senator Zaffirini moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **SB 264** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended for **SB 264**:

**SB 264**, Relating to the treatment of persons with mental illness.

The bill was read second time.

Senator Moncrief offered the following amendment to the bill:

**Floor Amendment No. 1**

**SB 264** is amended as follows:

On page 1, line 1-64 of the committee printing, add new subsection (d) to Section 571.0065, Health and Safety Code, to read:

(d) The board shall report annually to the governor, lieutenant governor, speaker of the house of representatives, the Senate Health and Human Services Committee and the House Public Health Committee on the treatment methods reviewed under this Section and the findings and recommendations made regarding each reviewed treatment method.

The amendment was read and was adopted by a viva voce vote.

**SB 264** as amended was passed to engrossment by a viva voce vote.

**SENATE BILL 264 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 264** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

**SB 264** was read third time and was passed by the following vote: Yeas 31, Nays 0.

**GUESTS PRESENTED**

Senator Truan was recognized and introduced to the Senate Elizabeth, Christina, Michelle, and Jennifer Nelson, daughters of Senator Nelson, serving today as Honorary Senate Pages.

Senator Truan also introduced Senator Nelson's husband J. Michael Nelson.

The Senate welcomed its guests.

**MEMORIAL RESOLUTIONS**

**SR 171** - by Wentworth: In memory of James Alvan Killgore of San Angelo.

**SR 172** - by Wentworth: In memory of Dr. Robert Melville Finks of San Angelo.

**SR 189** - by Barrientos: In memory of Homer Olsen of Austin.

**CONGRATULATORY RESOLUTIONS**

**SR 174** - by Lindsay: Congratulating Brett Allen of Houston.

**SR 175** - by Lindsay: Congratulating Justin Nixon of Tomball.

**SR 176** - by Ellis: Congratulating Demetrius G. McDaniel.

**SR 178** - by Lucio: Congratulating the Hidalgo Federal Credit Union.

**SR 179** - by Nelson: Congratulating Bob Lee of Frisco.

**SR 180** - by Nelson: Congratulating David Esquivel of Irving.

**SR 182** - by Shapleigh: Congratulating Nelly Jimenez of El Paso.

**SR 183** - by Shapleigh: Congratulating Trisha Brown of El Paso.

**SR 184** - by Shapleigh: Congratulating Gerardo Fernandez of El Paso.

**SR 185** - by Shapleigh: Congratulating Rebekah Robinson of El Paso.

**SR 186** - by Shapleigh: Congratulating Julieta Tubbs of El Paso.

**SR 187** - by Shapleigh: Congratulating Iris Leos of El Paso.

**SR 188** - by Barrientos: Congratulating the EduCare Community Living Corporation-America.

**SR 190** - by Barrientos: Congratulating Walter Kean of Austin.

**SR 191** - by Barrientos: Congratulating David Dawson of Austin.

**SR 192** - by Ellis: Congratulating Mary Ann Peterson and Gilbert Charles Markarian, Jr.

#### **MISCELLANEOUS RESOLUTION**

**SR 193** - by Patterson: Recognizing February 24, 1997, as Jack A. Johnson Day.

#### **ADJOURNMENT**

On motion of Senator Truan, the Senate at 12:47 p.m. adjourned, in memory of Police Officer Michael David Moore of Garland, until 12:00 noon tomorrow.

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#### **APPENDIX**

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#### **COMMITTEE REPORTS**

The following committee reports were received by the Senate:

February 17, 1997

**JURISPRUDENCE — CSSB 222**

**EDUCATION — CSSB 247, CSSB 280**

**HEALTH AND HUMAN SERVICES — SB 407**

**INTERGOVERNMENTAL RELATIONS — SB 141 (Amended),  
CSSB 272, CSSB 342**

**HEALTH AND HUMAN SERVICES — CSSB 411**

**STATE AFFAIRS — SB 99, SB 330, SB 331, SB 332, SB 447, SB 461**